

**Legislative Bulletin.....June 28, 2010**

**Contents:**

- H.Res. 1244** - Recognizing the National Collegiate Cyber Defense Competition for its now five-year effort to promote cyber security curriculum in institutions of higher learning
- H.Con.Res. 284** - Recognizing the work and importance of special education teachers
- H.Res. \_\_** - Commending the University of Southern California Trojan men’s tennis team for its victory in the 2010 National Collegiate Athletic Association (NCAA) Men’s Tennis Championship
- H.R. 3913** - Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Act
- H.Res. 1439** - Congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup Championship
- S. 1510** - United States Secret Service Uniformed Division Modernization Act
- S. 1508** - Improper Payments Elimination and Recovery Act of 2010
- H.R. 5395** - To designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the “Paula Hawkins Post Office Building”

---

**H.Res. 1244 - Recognizing the National Collegiate Cyber Defense Competition for its now five-year effort to promote cyber security curriculum in institutions of higher learning (*Rodriguez, D-TX*)**

**Order of Business:** The resolution is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1244 would resolve that the House of Representatives:

- “Recognizes the National Collegiate Cyber Defense Competition for its now five-year effort to promote cyber security curriculum in institutions of higher learning.”

The resolution lists a number of findings including:

- “On February 27, 2004, and February 28, 2004, a group of educators, students, and government and industry representatives gathered in San Antonio, Texas, to gauge the interest in and support for the establishment of regular cyber security exercises for postsecondary students;
- “In an effort to develop a regular, national-level cyber security exercise, the Center for Infrastructure Assurance and Security at the University of Texas at San

Antonio agreed to host the first Collegiate Cyber Defense Competition (CCDC) for the Southwestern region in April 2005;

- “The mission of the CCDC system is to provide institutions with an information assurance or computer security curriculum in a controlled, competitive environment to assess the student's depth of understanding and operational competency in managing the challenges inherent in protecting a corporate network infrastructure and business information systems; and
- “The furtherance and development of cyber security academic programs in institutions of higher education will help meet the rapidly growing demand for cyber security specialists in the public and private sectors.”

**Committee Action:** H.Res. 1244 was introduced on April 13, 2010, and referred to the House Education and Labor Subcommittee on Higher Education, Lifelong Learning, and Competitiveness, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report stating constitutional authority is unavailable.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226-8576.

---

---

## **H.Con.Res. 284 - Recognizing the work and importance of special education teachers (Sessions, R-TX)**

**Order of Business:** The resolution is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 284 resolves that Congress:

- “Recognizes the amount of work it requires to be a special education teacher; and
- “Commends special education teachers for their sacrifice and dedication while providing the quality life skills to individuals with special needs.”

The resolution lists a number of findings including:

- “In 1972, the United States Supreme Court ruled that children with disabilities have the same right to receive a quality education in the public schools as their nondisabled peers;
- “According to the Department of Education, approximately 6,500,000 children (roughly 10 percent of all school-aged children) receive special education services;
- “The work of special education teachers requires them to be able to interact and teach students with specific learning disabilities, hearing impairments, speech or language impairments, orthopedic impairments, visual impairments, autism, combined deafness and blindness, traumatic brain injury, and other health impairments;
- “Special education teachers must have the ability to interact and coordinate with a child's parents or legal guardians, social workers, school psychologists, occupational and physical therapists, and school administrators, as well as other educators to provide the best quality education for their students; and
- “Special education teachers help to develop an individualized education program for every special education student based on the student's needs and abilities.”

**Committee Action:** H.Con.Res. 284 was introduced on June 8, 2010, and referred to the House Education and Labor Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226-8576.

---

**H.Res. \_\_ - Commending the University of Southern California  
Trojan men's tennis team for its victory in the 2010 National  
Collegiate Athletic Association (NCAA) Men's Tennis Championship  
(Watson, D-CA)**

**Order of Business:** The resolution is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1034 would resolve that the House of Representatives:

- “Commends the University of Southern California (USC) Trojan men's tennis team and USC President Steven B. Sample for USC's victory in the 2010 NCAA Men's Tennis Championship;
- “Applauds Coach Peter Smith for his winning his second NCAA Championship as USC's head coach; and
- “Recognizes the achievements of the players, coaches, students, alumni, and staff who were instrumental in helping the University of Southern California win the 2010 NCAA Men's Tennis Championship.”

The resolution lists a number of findings including:

- “USC finished the 2010 season with an overall record of 25-3;
- “The No. 5 seed in the tournament, USC won the 2010 NCAA Championship with a 4-2 victory over the No. 2 seed Tennessee;
- “The 2010 NCAA Championship is the second for USC head coach Peter Smith;
- “Under the leadership of USC's 10th president, Steven B. Sample, USC has established itself as a world-class research university, known for its leadership in the fields of communication, media, public diplomacy, the sciences, and the arts.”

**Committee Action:** H.Res. \_\_ has yet to be introduced.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution does not authorize additional expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226 8576.

---

## **H.R. 3913 - Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Act (*Del. Norton, D-DC*)**

**Order of Business:** The legislation is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3913 requires the Mayor of Washington, D.C. to create a new program to provide financial assistance to eligible members of the D.C. National Guard for higher education. This program would provided up to \$400 per credit hour, and would not exceed \$5,500 per year. This financial assistance may be used to cover tuition and fees, book, and laboratory expenses. The mayor would have the authority to reduce the maximum amount of the assistance authorized, or set a limit on the number of participants, to ensure that amounts expended do not exceed available amounts. Members of the D.C. National Guard would be allowed to receive assistance under this program, even if they are receiving other available educational assistance. A National Guard member who received assistance under this program, but does not serve their full term in the National Guard, will be subject to repayment provisions.

Eligible members must meet the following requirements:

- “The member has satisfactorily completed required initial active duty service;
- “The member has executed a written agreement to serve in the District of Columbia National Guard for a period of not less than 6 years; and
- “The member is not receiving a Reserve Officer Training Corps scholarship.”

To continue to be eligible for this program, the member of the D.C. National Guard must:

- “Be satisfactorily performing duty in the District of Columbia National Guard in accordance with regulations of the National Guard (as certified to the Mayor by the commanding general of the District of Columbia National Guard);
- “Be enrolled on a full-time or part-time basis (seeking to earn at least 3, but less than 12 credit hours per semester) in an approved institution of higher education; and
- “Maintain satisfactory progress in the course of study the member is pursuing, determined in accordance with section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)).”

This legislation authorizes “such sums as may be necessary” to enable the Mayor to conduct this program. Funds may be accepted from other federal agencies, and there is authorized to be appropriated to the head of any executive branch agency “such sums as

may be necessary to permit the transfer of funds to the Mayor to provide financial assistance for this program.”

This legislation is retroactive to January 1, 2010.

**Additional Information:** National Guard members that would be covered under this legislation are also eligible under current law to receive education benefits such as the Post-9/11 GI Bill, the Reserve Education Assistance Program, and the Montgomery GI Bill Selected-Reserve Program.

**Committee Action:** H.R. 3913 was introduced on October 22, 2009 and referred to the House Oversight and Government Reform Subcommittee on Federal Workforce, Post Office, and the District of Columbia. A full committee markup occurred on April 14, 2010 and the legislation was reported by voice vote, without amendment.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** CBO estimates that implementing that program would cost the federal government \$10 million over the 2011-2015 period. In addition, CBO estimates that enacting the bill would increase direct spending for veterans’ education benefits by \$2 million over the 2011-2020 period. CBO estimates that this legislation would result in a \$2 million increase in the deficit between 2010 and 2010.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. H.R. 3913 establishes a program to provide federal assistance to eligible members of the D.C. National Guard.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** Yes. H.R. 3913 would impose an intergovernmental mandate, as defined in the Unfunded Mandates Reform Act (UMRA), because it would require the District of Columbia to develop policies and procedures for a financial assistance program for members of the District’s National Guard.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226 8576.

---

## **H.Res. 1439 - Congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup Championship (*Quigley, D-IL*)**

**Order of Business:** The resolution is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1439 would resolve that the House of Representatives:

- “Recognizes the Chicago Blackhawks for their long distinguished history, countless contributions to sports, and their many successes as a franchise;
- “Congratulates the Blackhawks on an amazing season and for winning the 2010 Stanley Cup Championship;
- “Recognizes the players, coaches, and leadership of the Blackhawks organization; and
- “Joins with all people in the United States and hockey fans all over the world in celebrating the return of the Stanley Cup to Chicago, Illinois.”

The resolution contains a number of findings, including:

- “The historic Chicago Blackhawks, as one of the ‘Original Six’, have made countless contributions to sports;
- “With 101 straight home game sellouts, and an NHL leading regular-season average attendance of 21,356, the Blackhawks are the pride of their hometown, Chicago, Illinois;
- “In the Stanley Cup Final series, the Blackhawks held off the aggressive play and talent of the Eastern Conference Champion Philadelphia Flyers, who deserve great credit, to win in overtime, and provide one of the most exciting final series in recent history; and
- “The innumerable contributions from every player, coach, and the entire Blackhawks family have ended the 49-year-long championship drought and brought the roar back to Madison Street and Lord Stanley’s Cup to where it belongs, sweet home Chicago.”

**Committee Action:** H.Res. 1439 was introduced on June 14, 2010, and was referred to the House Oversight and Government Reform Committee, which held a markup on June 17, 2010 and passed the legislation by unanimous consent.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution does not authorize additional expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226 8576.

---

---

## **S. 1510—United States Secret Service Uniformed Division Modernization Act (*Sen. Lieberman, I-CT*)**

**Order of Business:** The bill is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** S. 1510 would grant the Secretary of Homeland Security the authority to fix and adjust pay and benefits for employees of the Uniformed Division of the Secret Service by increasing the schedule of rates, changing hiring authority, increase the number of ranking steps, increasing compensation by up to 6% for individuals with technical expertise, and increasing the annual clothing allotment by \$200 annually. The bill provides parity for the annual leave for senior officials in the Uniformed Division to be consistent with the ceiling for members of the Senior Executive Service. S. 1510 also provides a 2.92 percent increase in the annuity paid to retired members of the Uniformed Division who participate in the District of Columbia Police and Firefighters Retirement and Disability System.

According OGR Committee Staff, S. 1510 will be amended on the floor and incorporate the Federal Real Property Disposal Enhancement Act of 2009 (H.R. 2495) into S. 1510. H.R. 2495 would require the director of the General Service Administration (GSA) to issue guidance for the development and implementation of executive branch agencies to dispose of federal properties identified as excess to the needs of the agency. The Administrator must submit an annual report each year for up to five years detailing the property assets of each federal agency and supply the aggregated estimated market value and number of surplus property assets under the custody and control of all executive agencies. The report must also contain the aggregated cost for maintaining all surplus real property and include recurring maintenance and repair costs, utilities, cleaning and janitorial costs, and roads and grounds expenses.

H.R. 2495 requires each executive agency to develop and implement a plan in order to identify properties as excess and establish incentives that lead the agency to reduce excess real property in its inventory. The bill provides the GSA Administrator additional authority to pay the direct and indirect costs related to identifying and preparing excessive properties identified by another agency.

The bill requires the GSA Administrator to make properties for sale available to state and local governments and non-profit institutions or organizations before selling the property through a competitive bidding process. H.R. 2495 allows the GSA to retain 12 percent of the proceeds from sales to cover costs such as auction fees and appraisals.

According to CBO H.R. 2495 would reduce net direct spending by \$15 million over the 2010-2019 period and increase spending subject to appropriation by \$10 million over the 2010-2014 period.

**Addition Information:** The Secret Service employs approximately 1,300 Uniformed Division law enforcement officers who help protect the President, the White House, foreign dignitaries and mission offices. S. 1510 addresses issues under the Secret Service Uniformed Division that include jurisdictional authority and the retention of officers consistent to other federal, state and local law enforcement organizations operating in the area (i.e. Capitol Police, FBI Police).

The Government Accountability Office (GAO) has reported that many federal agencies hold real property that could be used or sold to generate revenue for the government. According to CRS, the GAO reported that GSA and other landholding agencies could give greater attention and funding to maintaining a streamlined federal inventory by identifying and disposing of unneeded properties. In June 2007, the Office of Management and Budget (OMB) reported that the federal government owned 18,393 excess assets with a replacement value of almost \$13.8 billion, and 3,409 surplus properties valued at approximately \$3.9 billion.

Created in 1949, the GSA is an independent federal agency responsible for managing the federal inventory of federally owned and leased buildings, as well as the federal vehicle motor pool.

**Committee Action:** On July 23, 2009, S. 1510 was referred to the Senate Committee on Homeland Security and Government Affairs. On October 13, 2009, the legislation passed the Senate by unanimous consent and the bill was referred to the House Committee on Oversight and Government Reform. On April 14, 2010, the committee held a mark-up and ordered the bill, as amended, reported by voice vote.

On May 19, 2009, H.R. 2495 was referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on September 10, 2009, and the legislation was reported by voice vote.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** According to CBO, S. 1510 would cost \$39 million between 2010 and 2014, assuming appropriation of the necessary amounts. The bill also contains provisions that increase direct spending for retirement benefits of the Uniformed Division. CBO estimates that, if enacted, S. 1510 would increase direct spending by \$14 million over the 2010-2019 period.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** Committee report 111-86 does not provide a statement that S. 1510 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(t) of rule XXI.” However, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** The committee report for S. 1510 does not cite constitutional authority for the bill.

**RSC Staff Contact:** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226 9720.

---

---

## **S. 1508—Improper Payments Elimination and Recovery Act of 2010 (*Sen. Carper, D-DE*)**

**Order of Business:** The bill is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** S. 1508 is a senate companion of H.R. 3393, which passed the House on April 28, 2010 by a voice vote. The Senate version makes several small changes to the bill and requires recovery contracts to provide credible evidence of fraud or vulnerabilities to fraud, and to conduct training of personnel on fraud identification. For more information on H.R. 3393, [click here](#) to review the RSC legislative bulletin circulated in April 28<sup>th</sup>.

**Potential Conservative Concerns:** Some conservatives might argue that all amounts collected through recovery audits should go towards deficit reduction. The underline bill only provides for 45% of money collected to go to the Treasury.

**Addition Information:** The Improper Payments Reduction Act of 2002 requires federal agencies to annually identify programs and activities that may be susceptible to “significant improper payments.” An improper payment as defined by the bill includes overpayments, underpayments, duplicate payments, payment to ineligible recipients, payments for ineligible services and payments for services not received. For each program and activity, the head of the agency must estimate the annual amount of improper payments and the amount in its annual budget and performance report under GPRA (The Government Performance and Results Act).

**Committee Action:** On July 23, 2009, S. 1508 was referred to the Senate Committee on Homeland Security and Government Affairs. On June 23, 2010, the legislation passed the Senate, as amended, by unanimous consent and the bill was received in the House and held at the desk.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO report citing the cost of enacting S. 1508 is unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A committee report providing a statement that S. 1508 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(t) of rule XXI” is unavailable. However, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority to enact S. 1508 is not available.

**RSC Staff Contact:** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226 9720.

---

---

**H.R. 5395 - To designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the “Paula Hawkins Post Office Building” (Mica, R-FL)**

**Order of Business:** The legislation is scheduled to be considered on Monday, June 28, 2010, under a motion to suspend the rules and pass the bill

**Summary:** H.R. 5395 would designate the United States Postal Service at 151 North Maitland Avenue in Maitland, Florida, as the “Paula Hawkins Post Office Building.”

**Additional Information:** Paula Hawkins served as a Republican in the U.S. Senate from 1981 to 1987. She was born in Salt Lake City, Utah and was a resident of Winter Park, FL, under her death on December 4, 2009. More information can be found [here](#).

**Committee Action:** H.R. 5395 was introduced on May 25, 2010 and referred to the House Oversight and Government Reform Committee, which held a markup on June 17, 2010 and agreed to the legislation by unanimous consent.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** No CBO score is available, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

**RSC Staff Contact:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226 8576.